

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOE DASILVA, JR.,

Plaintiff,

vs.

Civil Action No. 20-CV-11358
HON. MARK A. GOLDSMITH

MARK ESPER, et al.,

Defendants.

ORDER REGARDING TELEPHONIC SCHEDULING CONFERENCE

You are ordered to participate in a telephonic scheduling conference Thursday, March 3, 2022 @ 3:30 p.m. in the above-captioned matter.

The parties shall call into (877) 336-1274 and use access code: 9602327. An email will be sent to counsel with the security code.

Prior to the conference, please review the Court's standard Case Management and Scheduling Order, located on the Court's website at www.mied.uscourts.gov, by clicking on Judicial Officers, District Judges, Judge Mark A. Goldsmith, Form Orders, Case Management and Scheduling Order.

Also prior to the scheduling conference, Plaintiff is required to initiate a conference with opposing counsel for the purpose of preparing a joint discovery plan in accordance with Federal Rule of Civil Procedure 26(f). The joint discovery plan must be filed on the docket **one week before the Court's scheduling conference**. The joint discovery plan must address the following matters:

- a brief summary of the case
- the basis for subject matter jurisdiction
- the relationship of this case to other cases
- contemplated amendment(s) of pleadings to add or delete claims, defenses, or parties
- anticipated discovery disputes and discovery progress
- facilitation/arbitration/case evaluation
- anticipated motion practice
- settlement

In addition, the plan **must set forth proposed dates** for all of the deadlines set forth in the Court's standard Case Management and Scheduling Order, except for the following: motion cut-off dates, settlement conference date, due date for the final pretrial order, date for final pretrial conference, and trial date. In submitting proposed dates, counsel should bear in mind the Court's standard case timeline:

| <u>EVENT</u> | <u>DEADLINE</u> |
|---|---|
| Initial Disclosures under Fed. R. Civ. P. 26(a)(1) | Four weeks after issuance of the scheduling order |
| Lay Witness List | Six weeks before close of discovery |
| Exhibit List | Six weeks before close of discovery |
| Expert Witness List and Disclosure under Fed. R. Civ. P. 26(a)(2) - Plaintiff | Six weeks before close of discovery |
| Expert Witness List and Disclosure under Fed. R. Civ. P. 26(a)(2) - Defendant | Two weeks before close of discovery |
| Discovery – Fact and Expert | Four to nine months after issuance of the scheduling order, depending on the complexity of the case |
| Early Settlement Conference (before magistrate judge) | Between close of discovery and dispositive motions |
| Dispositive Motions & Motions to Limit/Exclude Expert Testimony | Fourteen days after close of all discovery |
| All Other Motions, Including Motions in Limine | Six weeks before the final pretrial conference |
| Settlement Conference (before district judge) | Four months after the dispositive motion cutoff date |
| Joint Final Pretrial Order | Six weeks before the final pretrial conference |
| Final Pretrial Conference | Two weeks after pretrial order due |
| Trial | Monday two weeks following the pretrial conference |

While the Court typically affords counsel wide latitude in fashioning deadlines for the first six events listed in the chart above, the Court is not inclined to deviate significantly from its general case timeline in setting deadlines for the remaining events, unless the circumstances of a particular case require it.

After review of the submitted joint discovery plan, the Court will determine whether the above-scheduled conference is needed. If the Court determines that a conference is not needed, the Court will issue an order cancelling the above-scheduled conference and a scheduling order will be issued. If the Court determines that a conference is needed, no scheduling order will be issued and the currently scheduled conference will proceed. You should assume the conference will proceed unless you are notified otherwise.

SO ORDERED.

Dated: February 9, 2022
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge